



United States Attorney  
Southern District of New York

# MEMO ENDORSED

BY ECF

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March 26, 2018

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The Honorable Valerie E. Caproni  
United States District Judge  
Southern District of New York  
40 Foley Square  
New York, New York 10007

**Re: *United States v. Peter Galbraith Kelly, Jr., S2 16 Cr. 776 (VEC)***

Dear Judge Caproni:

The parties write in response to the Court's Order, dated March 13, 2018, directing that, "[i]f the Government wishes to retry Defendant Kelly, then no later than March 28, 2018, the Government and Defendant Kelly must file a joint letter proposing four possible dates for a retrial." The parties respectfully request an additional 30 days to continue discussions regarding a potential retrial. The parties agree that the ends of justice would be served by allowing the parties an additional 30 days to confer before any dates for a retrial are proposed to the Court. The parties therefore respectfully request until April 25, 2018 to propose any such dates and that the Court exclude the same period of time from Speedy Trial Act calculation. Defendant Kelly consents to the exclusion of the time between today's date and April 25, 2018.

Request GRANTED, but further extensions will not be granted. No later than April 25, 2018, the parties must propose possible dates for a retrial. The period of delay between March 13, 2018 and April 25, 2018 is excluded under the Speedy Trial Act, 18 U.S.C. § 3161(h)(7)(A). The Court finds that the ends of justice outweigh the interests of the public and of the Defendant in a speedy trial because of the complexity of this case and the numerous considerations involved in planning a retrial.

SO ORDERED.

cc: Counsel for all defendants (via ECF)

HON. VALERIE CAPRONI  
UNITED STATES DISTRICT JUDGE  
3/27/2018

Respectfully submitted,

GEOFFREY S. BERMAN  
United States Attorney

By: /s/

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